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Jane A. Walker February 6, 2004  
Jane A. Walker Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No: 10/091,849  
Filed: March 6, 2002  
Confirmation No.: 8604  
Applicant: Steven T. Boyce  
Title: APPARATUS FOR PREPARING A BIOCOMPATIBLE MATRIX  
Art Unit: 3764 3743  
Examiner: Kokabi  
Att'y Dock: CUT-02

Cincinnati, Ohio 45202

February 6, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

ELECTION AND PRELIMINARY AMENDMENT

In response to the Office Action mailed January 9, 2004 in the above-referenced application, applicant elects with traverse Group I. Applicant notes that claims 40-42, drawn to an apparatus, have been erroneously listed with Group II method claims. Applicant thus respectfully requests that the Election include claims 1-5, 11, 18-26, 33-34, and 40-42.

As requested by the Examiner, applicant elects species B, as depicted in figure 1D.

**Amendment to the Specification** begins on page 3 of this paper.

**Amendments to the Claims** begins on page 4 of this paper.

**Remarks** begin on page 14 of this paper.